

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2 GRUPO FAMSA, S.A. DE C.V., a
3 Mexican corporation,

4 Petitioner and Defendant,

5 vs.

6 THE EIGHTH JUDICIAL DISTRICT
7 COURT of the State of Nevada, in and
8 for the County of Clark, and THE
9 HONORABLE ROB BARE, District
10 Court Judge,

11 Respondents,

12 B.E. UNO, LLC, a Nevada limited
13 liability company,

14 Real Party in Interest and
15 Plaintiff.

Electronically Filed
Dec 02 2015 11:20 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

SUPREME COURT CASE NO.:
69119

DISTRICT COURT CASE NO.:
A-14-706336-C

16 **REAL PARTY IN INTEREST/PLAINTIFF'S MOTION TO**
17 **WITHDRAW MOTION TO STRIKE REPLY AND**
18 **SECOND SUPPLEMENTAL APPENDIX IN SUPPORT**
19 **OF PETITION FOR WRIT OF MANDAMUS AS UNTIMELY**

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Petitioner, Grupo Famsa, S.A. de C.V., has provided Plaintiff, B.E. Uno, LLC, with evidence that its Reply in Support of Petition for Writ of Mandamus and Second Supplemental Appendix to Petition for Writ of Mandamus were “submitted” at or around 4:43 p.m. and 4:45 p.m. on November 20, 2015, although such Reply and Appendix were not actually “accepted” and “filed” until the following business day on November 23, 2015.

Therefore, Plaintiff hereby withdraws its Motion to Strike Reply and Second Supplemental Appendix in Support of Petition for Writ of Mandamus as Untimely.

DATED this 2nd day of December, 2015.

GOOLD PATTERSON

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